

OPINION
50-59

July 21, 1950 (OPINION)

ELECTIONS

RE: Electioneering on Election Day

Yours of the nineteenth re above has been received and referred to my desk.

You state that one of the judges of election who had not filed as a candidate for precinct committeeman and therefor did not have his name upon the ballot, did have his name written upon a blackboard in the polling place as such candidate. He received a majority over the candidate who had filed and whose name was upon the ballot.

It is our opinion that the writing of his name on a blackboard and displaying it in the polling place constitutes at least a technical violation of section 16-2019 N.D.R.C. 1943 prohibiting electioneering on election day. If prosecuted and convicted under this section, he would be deprived of his office under section 16-2022 N.D.R.C. 1943. The writing of the name on the blackboard, however, would have no effect upon the election so far as the other offices are concerned.

ELMO T. CHRISTIANSON

Attorney General